

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON .2' (2.4") OF DRAINAGE/UTILITY EASEMENTS IN A PORTION OF THE NORTH SIDE OF LOT6, BLK6, UNIT11, PHASE2, HANCOCK COUNTY, MS LOCATED WITHIN THE CITY OF DIAMONDHEAD

WHEREAS, the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently possesses 5' drainage and utility easements on Lot 6, Blk 6, Unit 11, Phase 2. The request is to abandon .2' (2.4") of drainage and utility easements on the North drainage and utility easement of Phase 2, Unit,11, Block 6, Lot 6. (see Exhibit A dated 11-08-2018 by Crosby Surveying).
2. Jason White is the owner of this property and has built a house that encroaches .2' (2.4") into the drainage and utility easement. The physical address is 8427 Kaleki Way. Mr. White is a contractor and has a potential sale for the property. The lending institution will not allow the sale until the .2' (2.4") of encroachment into the drainage/utility easement is vacated.
3. Comments from the Diamondhead Water and Sewer District, Diamondhead Public Works Department, Coast Electric Power Association and Diamondhead Property Owners Association reflect no problem to abandon .2' (2.4").
4. Further, the City hereby abandons and/or vacates .2' (2.4") of drainage/utility easements as petitioned to allow the sale of the newly constructed house. Notwithstanding retaining the 10' drainage and utility easements on the front and rear of the property and the 5' drainage and utility easement on the South side, and the vast majority of the 5' drainage and utility easement on the north side. The City only abandons that portion of the structure which encroaches into the drainage and utility easement as shown in the survey by Clifford Crosby dated 11-9-18 of Diamondhead Phase 2, Unit,11, Block 6, Lot 6.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements as described in bullet #1.

SECTION 2. It is agreed and understood that Mr. White or their representative will be

Resolution 2018-047
Agenda Item 2018-359

responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Depreo, seconded by Councilmember Koenenn and the question being put to a roll call vote, the result was as follows:

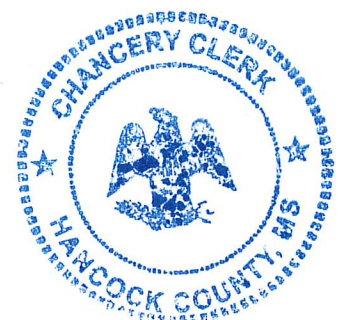
	Aye	Nay	Absent
Councilmember Depreo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Moran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Koenenn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember L'Ecuyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 18th day of December, 2018.

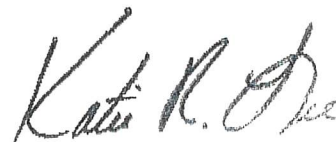

MAYOR

ATTEST:


CITY CLERK



Hancock County
I certify this instrument was filed on
12-19-2018 08:14:03 AM
and recorded in Deed Book
2018 at Pages 15348 - 15349
Timothy A Kellar

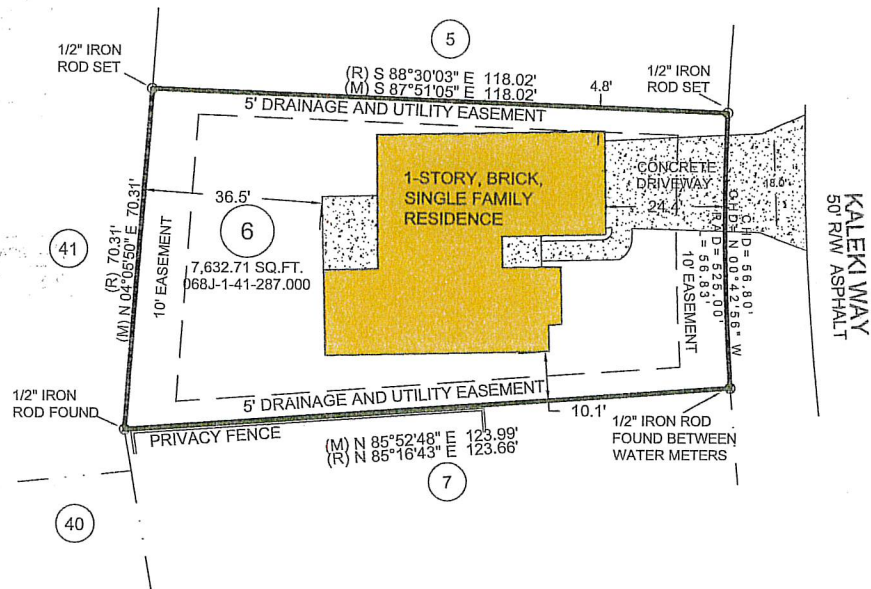
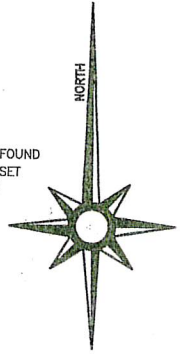


NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON GR5 GPS RECEIVER AND TOPCON GPT-9005A ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
- 3.) ELEVATIONS SHOWN ARE BASED ON NAVD88, GEIOD 2009.
- 4.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
- 5.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 6.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

LEGEND:

- ⊗ --- IRON ROD FOUND
- --- IRON PIPE FOUND
- --- IRON ROD SET
- △ --- SPIKE FOUND
- △ --- SPIKE SET
- ⊠ --- CONCRETE MONUMENT FOUND
- ⊠ --- CONCRETE MONUMENT SET
- ⊠ --- LIGHTARD KNOT FOUND
- ⊠ --- AS MEASURED
- (M) --- AS PER RECORD
- (R) --- AS PER PLAT
- IRF --- IRON ROD FOUND
- IRS --- IRON ROD SET



**SURVEY AND SITE PLAN ON LOT 6, BLOCK 6, DIAMONDHEAD
SUBDIVISION, PHASE 2, UNIT 11, CITY OF DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI**

REFERENCE MATERIALS:

- 1.) RECORDED SUBDIVISION PLAT

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE
PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND
OTHER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.

CLIFFORD A. CROSBY, P.L.S.

DATE

11/9/2018

THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X500" ACCORDING TO
MAP NUMBER 28045C0244D DATED OCTOBER 16, 2009

SURVEY CLASS - "B"

SCALE: 1" = 30'

FOR:

J. WHITE HOMES, LLC

BEARINGS SHOWN HEREON ARE DERIVED BY:
GPS OBSERVATION, STATE PLANE GRID, MS EAST



CROSBY SURVEYING
PROFESSIONAL LAND SURVEYING
716 LIVE OAK DRIVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-234-1649

EMAIL: cliffordcrosby@cableone.net

DATE OF FIELD WORK: 11/08/2018

PARTY CHIEF: CC

INSTRUMENT MAN: SB

RODMAN: CC

DRAWN BY: CAC

DRAWING NUMBER: 16154 LOT 6

REVISED: